

REMARKS

This paper is responsive to the Office Action dated September 21, 2004 in which claims 1-5 and 12-15 are rejected and claims 6-11 are objected to. In this response, claims 1, 5, and 13-15 have been canceled without prejudice, claims 3, 6, and 12 are currently amended, and claims 4 and 7-11 are original. Claims 2-4 and 6-12 are pending in this application.

Changes to the Claims:

Claims 2 and 6 have been rewritten in independent form. For both claims 2 and 6, the text “to complete said joining together of said first and second mirror panels into said roof mirror assembly” has been removed. Claims 3 and 12 have been amended to depend from claim 2 instead of claim 1. No new matter has been added.

Changes to the Specification:

Paragraph [0001] has been amended in response to paragraph 11, part (A) of the Office Action. Paragraph 11, part (B) of the Office Action indicates that the specification, at page 7, lines 9-10 (which is in paragraph [0045]) should be amended to change numeral “126” to “106” and numeral “136” to “116.” Applicant notes that specification paragraph [0045] is correct and that the drawings have been amended to match the specification as filed. Accordingly, Applicant contends that the objection to the specification in 11 (B) has been overcome by the proposed amendments to FIGS. 9, 11, and 12. Accordingly, paragraph [0045] has not been amended in this paper.

Paragraph [0044.1] has been added in response to the objection to the specification in paragraph 10 of the Office Action. Consistent with the requirement in the Office Action, antecedent basis is provided for the “protruding element” and for the first and second receiving surfaces thereof. Support for the content of paragraph [0044.1] may be found in FIGS. 9, 10 and 11 of this application and of the parent application, as filed. No new matter has been added.

Changes to the Drawings:

An amendment has been proposed to FIG. 4B which changes reference numeral 26 to reference numeral 24. This proposed amendment is supported in paragraph [0026] of the specification as filed. No new matter has been added.

An amendment is proposed to FIG. 9 which adds reference numeral 170 corresponding to the “protruding element” of panel 112. This change to FIG. 9 is proposed based on the addition of

specification paragraph [0044.1] which is responsive to the objection in paragraph 10 of the Office Action. Also in FIG. 9, one instance of the numeral “116” has been deleted, the deletion shown in red ink.

Reference numerals 126 and 136 have been added to FIGS. 9, 11, and 12 in the replacement sheets submitted with this response. Support for this change can be found in paragraph [0045] of the specification. No new matter has been added. Based on the foregoing, Applicant respectfully requests that the proposed drawing amendments be entered.

Rejection under 35 U.S.C. § 112, First Paragraph:

Claims 2, 5, and 13-15 are rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Claims 5 and 13-15 have been canceled without prejudice and are therefore not discussed further herein. With regard to claim 2, the Office Action asserts that the specification as filed does not provide support for the mounting block(s) being attached to first and second back portions of said mirror panels by an adhesive material. Applicant respectfully traverses the outstanding rejection with respect to claim 2.

Paragraph [0004] of Applicant’s specification refers to “adhesives which join members of the retroreflector.” (Emphasis added). Paragraph [0046] of Applicant’s specification recites, in part, “the back surfaces of panels 102 and 112 that are adhered to mounting blocks 140 and 160” (Emphasis added). The term “adhered” is defined as follows:

“to hold fast or stick by or as if by gluing, suction, grasping, or fusing.”

Merriam Webster’s Collegiate Dictionary, Tenth Edition, page 14, copyright 2001. A copy of this definition is attached hereto as Exhibit A. Applicant contends that since the term “adhered” includes gluing, or connecting with glue, the specification supports the use of the term “adhesive material” in the claims.

Rejection under 35 U.S.C. § 102(b):

Claims 1, 2, and 12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bleier (U.S. Patent No.5,122,901 hereafter “Bleier”). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. § 2131. Claim 1 has been canceled without prejudice and is therefore not discussed

further in this section. Applicant respectfully contends that Bleier does not describe all the limitations of claims 2 and 12.

Claim 2 recites the limitation “wherein said back portions extend along said respective mirror panels in orientations that do not meet or intersect with said reflective surfaces.” (Emphasis added). Applicant notes that the Office Action asserts the equivalency of non-reflecting faces 58 of Bleier to the “back portions” of claim 2. FIG. 2 provides a cross-sectional view of the retroreflector of Bleier. The related specification text recites that “non-reflecting face 58 of each of plates 55 is chamfered to angularly intersect reflecting faces 57.” See col. 3, lines 35-37 (emphasis added). The foregoing description from Bleier contradicts the above-quoted limitation of claim 2, and Bleier therefore does not describe all the elements of claim 2.

In addition, the mirror panels of the cited Bleier reference are not attached to receptacle 25 along surfaces 58 thereof by adhesive material 73, as is stated by the examiner. First, adhesive material 73 is described in Bleier as being an adhesive strip 73 (i.e., tape) which is simply used to seal the notch 69 so that adhesive material 75 does not leak through from cavity 71 to reflective surfaces of the mirror panels. See FIG. 6, and column 4, lines 24-29. Further, the Bleier reference is distinctly different from the present invention as claimed in claim 2, since claim 2 calls for the mounting block to be attached “to both said first and second back portions of said mirror panels, wherein said back portions extend along said respective mirror panels in orientations that do not intersect with said reflective surfaces.” However, as is expressly stated in Bleier at column 5, lines 6-13, adhesive material 75 is located in cavity 71, and cavity 71 is defined by sides 59, 61, and groove 35 - - nowhere is side 58 (the back portion) said to be attached (adhered) to receptacle 25, and sides 59 and 61 of the assembly of the Bleier reference (the sides which are so attached) intersect with the reflective surfaces.

Accordingly, claim 2 is patentable over Bleier under 35 U.S.C. § 102(b) for a variety of reasons. Claim 12 depends from claim 2 and is patentable over Bleier for the same reasons as claim 2. Thus, reconsideration is respectfully requested.

Objection to the Drawings:

In paragraph 12 of the Office Action, the drawings are objected to as failing to comply with 37 C.F.R. § 1.84(p)(5) for lacking illustration of reference numerals 126 and 136, recited on page 7, lines 9-10 of the specification. The Office Action requires that the drawings be corrected to illustrate these

reference numerals. Replacement sheets for FIGS. 9, 11, and 12 accompany this response in which reference numerals 126 and 136 have been added to the drawings. No new matter has been entered. Accordingly, Applicant respectfully requests that the objection to the drawings be reconsidered.

Conclusion:

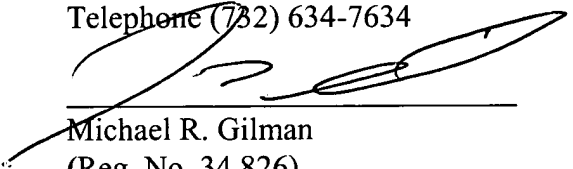
The Examiner is thanked for the indication of allowable content in claims 6-11. In addition, claim 2 now being allowable, all claims dependent therefrom are also allowable, i.e., claims 3, 4 and 12. Applicant respectfully requests reconsideration and allowance in view of the above remarks and amendments.

Also, please find enclosed herewith a petition and fee for 1-month extension of time. The Examiner is authorized to deduct additional fees believed due from, or credit any overpayments to our Deposit Account No. 11-0223.

Respectfully submitted,

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Dated: January 20, 2005



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I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on January 20, 2005.

Dated January 20, 2005 Signed Paula M. Halsey Print Name Paula M. Halsey



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